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OFFICE OF PETITIONS

In re Application of :
Charles J. Renz :
Application No. 10/619,676 :
Filed: July 15, 2003 :
Attorney Docket No. 460.2111USX :

ON PETITION

This is a decision on the petition under 37 CFR 1.137(a), filed August 11, 2005, which has been treated as a petition under 37 CFR 1.181, to withdraw the holding of abandonment.

The petition is **GRANTED**.

This application became abandoned for failure to timely file a proper reply to the final Office action mailed December 3, 2004. Accordingly, this application became abandoned on March 4, 2005. A Notice of Abandonment was mailed on June 20, 2005.

The showing required to establish non-receipt of an Office communication must include a statement from the practitioner stating that the Office communication was not received by the practitioner and attesting to the fact that a search of the file jacket and docket records indicates that the Office communication was not received. A copy of the docket record where the non-received Office communication would have been entered had it been received and docketed must be attached to and referenced in practitioner's statement. See *Withdrawing the Holding of Abandonment When Office Actions Are Not Received*; Notice 1156 Off. Gaz. Pat. Office 53 (November 16, 1993).

The required statements and docket records have been submitted. As such, the petition is granted.

The petition fee will be refunded by treasury check.

The file is being forwarded to Technology Center 1700 for review of the amendment, submitted August 11, 2005.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3228.

A handwritten signature in black ink, appearing to read 'EJ Tannouse', followed by a long horizontal line extending to the right.

Edward J. Tannouse
Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy